

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.9889 OF 2007

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DATED: 01-05-2007

BETWEEN

Tommidella Renuka,
W/o. Siva Sankara Rao,
Swarnavarigudem Village,
Jeelugumilli Mandal,
West Godavari District.

...PETITIONER

AND

Special Deputy Collector (Tribal Welfare),
Polavaram, West Godavari District and
others.

...RESPONDENTS

ORDER:

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Petitioner submits that he has got a share in the land in an extent of Ac.4.25 cents in Sy.No.164/1, Ac.0.09 cents in Sy.No.164/2 and Ac.0.12 cents in Sy.No.164/3 total of which is Ac.4.46 cents situated in Swarnavarigudem Village, Jeelugumilli Mandal, West Godavari District, which is situated in the agency area. He further submits that he succeeded the same from his father in 2001 and prior to 2001 his father having purchased the said land in 1968 was in continuous possession and enjoyment of the same. He further submits that the ejectment proceedings initiated against his father was dismissed and thereafter without issuing any notice to him the respondents are making an attempt to dispossess/eject him from the said land.

2. I am not inclined to express any opinion on the merits of the case. However, without following due procedure prescribed in law the respondents cannot dispossess the petitioner from the said land. However, without making any representation/submitting any grievance about the alleged illegal action of the respondents, no Writ of Mandamus can be issued.

3. Having regard to the facts and circumstances of the case, the petitioner is permitted to make a representation before the respondents 1 and 2 with regard to the alleged illegal action on the part of the second respondent and if any such representation is made the same may be considered and disposed of in accordance with law.

The writ petition is accordingly disposed of. There shall be no order as to costs.

V. ESWARAIAH, J

May 1, 2007

Note: Furnish C.C. of the order by 02.05.2007

(B/o)

DSK